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**TRANSMITTAL  
FORM***(To be used for all correspondence  
after initial filing)*

Application Number	10/714,389
Filing Date	November 13, 2003
First Named Inventor	Davin C. Dillon
Art Unit	1645
Examiner Name	
Attorney Docket No.	210121.491D1

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement; Forms PTO-1449 (3 Sheets) <input checked="" type="checkbox"/> 18 Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC ( <i>Appeal Notice, Brief, Reply Brief</i> ) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Other Enclosure(s) ( <i>please identify below</i> ): _____ _____ _____ _____
<b>Remarks</b> _____		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Seed Intellectual Property Law Group PLLC	Customer Number	00500
Signature			
Printed Name	Julie A. Urvater, Ph.D., Patent Agent		
Date	September 1, 2005	Reg. No.	50,461

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	Lawrence Teague	Date:	September 1, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

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September 1, 2005  
Date Lawrence Teague

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Davin C. Dillon et al.  
Application No. : 10/714,389  
Filed : November 13, 2003  
For : COMPOSITIONS AND METHODS FOR THE  
THERAPY AND DIAGNOSIS OF BREAST CANCER  
Art Unit : 1645  
Docket No. : 210121.491D1  
Date : September 1, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:

In accordance with 37 CFR 1.56 and 1.97 through 1.98, applicants wish to make known to the Patent and Trademark Office the references set forth on the attached Form PTO-1449. This application is a divisional and relies, under 35 U.S.C. § 120, on the earlier filing date of prior Application No. 09/778,320, filed February 6, 2001; which is a continuation-in-part of prior Application No. 09/571,025, filed May 15, 2000, now abandoned; which is a continuation-in-part of prior Application No. 09/545,068, filed April 7, 2000, now abandoned; which is a continuation-in-part of prior Application No. 09/523,586, filed March 10, 2000, now abandoned; which is a continuation-in-part of prior Application No. 09/510,662, filed February 22, 2000, now abandoned; which is a continuation-in-part of prior Application No. 09/451,651, filed November 30, 1999, now issued as U.S. Patent 6,489,101. The references listed on page 1 of the

attached Forms PTO-1449 were submitted to and/or cited by the Patent and Trademark Office in these prior applications and, therefore, are not required to be provided in this application. If the Examiner wishes, copies of these references will be provided upon request. However, the 20 references listed on pages 2-3 of the attached Forms PTO-1449 were not made of record in these prior applications. Accordingly, copies of these are enclosed herewith, though copies of the cited U.S. published patent applications are not included among them.

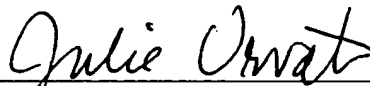
As to any reference cited, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 CFR 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

Please acknowledge receipt of this Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

Applicants believe this Information Disclosure Statement has been timely filed, however, the Director is authorized to charge any fee due by way of this Information Disclosure Statement to our Deposit Account No. 19-1090.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC



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Julie A. Urvater, Ph.D., Patent Agent  
Registration No. 50,461

JAU:ljt

Enclosures:

Postcard  
Transmittal Form  
Forms PTO-1449 (3 Sheets)  
Cited References (18)

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FORM PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

210121.491D1

APPLICATION NO.

10/714,389

**INFORMATION DISCLOSURE STATEMENT**

(Use several sheets if necessary)

APPLICANTS

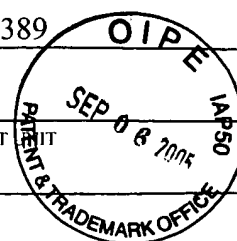
Davin C. Dillon et al.

FILING DATE

November 13, 2003

GROUP ART UNIT

1645

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,654,172	08/05/97	Li et al.	435	69.1	
	AB						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AC	WO 96/06862	03/07/96	WIPO		
	AD	WO 97/25431	07/17/97	WIPO		
	AE	WO 99/14230	03/25/99	WIPO		
	AF	WO 99/25877	05/1999	WIPO		
	AG	WO 99/33869	09/08/99	WIPO		
	AH	WO 99/37775	07/29/99	WIPO		
	AI	WO 00/12758	03/2000	WIPO		

**OTHER ART** (Including Author, Title, Date, Pertinent Pages, Etc.)

	AJ	Burger et al., "Breast Cancer Genome Anatomy: Correlation of Morphological Changes in Breast Carcinomas with Expression of the Novel Gene Product Di12," <i>Oncogene</i> 16:327-333, 1998.
	AK	Diatchenko et al., "Suppression subtractive Hybridization: A Method for Generating Differentially Regulated or Tissue-Specific cDNA Probes and Libraries," <i>PNAS</i> 93:6025-6030, June 1996.
	AL	Hara et al., "Characterization of cell phenotype by a novel cDNA library subtraction system: expression of CD8 $\alpha$ in a mast cell-derived interleukin-4-dependent cell line," <i>Blood</i> 84(1):189-199, July 1, 1994.
	AM	Hedblom and Kirkness, "A novel class of GABA <sub>A</sub> receptor subunit in tissues of the reproductive system," <i>The Journal of Biological Chemistry</i> 272(24):15346-15350, June 13, 1997.
	AN	Lee et al., "Positive Selection of Candidate Tumor-Suppressor Genes by Subtractive Hybridization," <i>PNAS</i> 88:2825-2829, April 1991.
	AO	Porter-Jordan and Lippman, "Overview of the biologic markers of breast cancer," <i>Breast Cancer</i> 8(1):73-100, February 1994.
	AP	Schlom et al., "Strategies for the development of recombinant vaccines for the immunotherapy of breast cancer," <i>Breast Cancer Research and Treatment</i> 38(1):27-39, 1996.

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).

FORM PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

210121.491D1

APPLICATION NO.

10/714,389

**INFORMATION DISCLOSURE STATEMENT**

(Use several sheets if necessary)

APPLICANTS

Davin C. Dillon et al.

FILING DATE

November 13, 2003

GROUP ART UNIT

1645

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	BA	2003/0022334	01/30/03	Glucksmann	435	189	
	BB	2003/0027988	02/06/03	Baker et al.	530	350	
	BC						
	BD						
	BE						
	BF						
	BG						
	BH						
	BI						
	BJ						

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	BK	WO 99/00408	01/07/99	WIPO		
	BL	WO 00/36107	06/22/00	WIPO		
	BM	WO 00/61756	10/19/00	WIPO		
	BN	WO 01/40269	06/07/01	WIPO		
	BO	WO 01/51628	07/19/01	WIPO		

**OTHER ART** (Including Author, Title, Date, Pertinent Pages, Etc.)

	BP	GenBank Database, Accession No. AF100759, July 8, 1999.
	BQ	GenBank Database, Accession No. AJ131016, February 4, 2000.
	BR	GenBank Database, Accession No. AL135960, February 3, 2000.

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).

FORM PTO-1449 (REV. 7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. <b>210121.491D1</b>		APPLICATION NO. <b>10/714,389</b>	
<b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)				APPLICANTS <b>Davin C. Dillon et al.</b>			
				FILING DATE <b>November 13, 2003</b>		GROUP ART UNIT <b>1645</b>	
<b>U.S. PATENT DOCUMENTS</b>							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CA						
<b>FOREIGN PATENT DOCUMENTS</b>							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION		
					YES	NO	
	CB	WO 01/51638	07/19/01	WIPO			
	CC	WO 01/90334	11/29/01	WIPO			
	CD	WO 01/93983	12/13/01	WIPO			
	CE						
	CF						
<b>OTHER ART</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
	CG	GenBank Database, Accession No. AL356793, November 29, 2001.					
	CH	Genseq Database (Thomason Derwent), Accession No. AAL08649, December 7, 2001.					
	CI	Genseq Database (Thomason Derwent), Accession No. AAL18673, December 7, 2001.					
	CJ	Genseq Database (Thomason Derwent), Accession No. AAL23934, December 7, 2001.					
	CK	Genseq Database (Thomason Derwent), Accession No. AAL24582, December 7, 2001.					
	CL	Genseq Database (Thomason Derwent), Accession No. AAW92654, April 30, 1999.					
	CM	Xu, J. et al., "Identification of differentially expressed genes in human breast tumor using subtraction and microarray," <i>Proceedings of the American Association for Cancer Research</i> 40: 319, Abstract #2115, March 1999.					
	CN						
EXAMINER				DATE CONSIDERED			
* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to applicant(s).							